

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MIGUEL FONTANEZ,

Plaintiff,

-against-

NEW YORK CITY DEPARTMENT OF
CORRECTION, *et al.*,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: <u>1/8/08</u>

ORDER OF JUDGMENT

07 Civ. 7905 (WHP)

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Upon plaintiff's notice of acceptance of defendants' Rule 68 offer of judgment in this case, it is hereby

ORDERED, that judgment in the sum of FIVE HUNDRED DOLLARS AND ONE CENT (\$500.01) shall be entered in favor of Miguel Fontanez and against the City of New York, in lieu of and in substitution for defendants Assistant Deputy Warden Tindal, Assistant Deputy Warden Barrett, Captain John, Captain Rakestraw, Captain Zouhbi, Captain McFarlane, Correction Officer Lattimore, Correction Officer Attmore, and Correction Officer Goodman; and it is further

ORDERED, that this judgment shall be in full satisfaction of all claims or rights that plaintiff has or may have to damages, attorneys' fees and costs, or any other form of relief, arising out of the alleged acts or omissions of the defendants, and any official, employee, representative and/or agent, either past or present, of the City of New York, or any agency thereof, in connection with the facts and circumstances that are the subject of this action.

ORDERED, that defendants Assistant Deputy Warden Tindal, Assistant Deputy Warden Barrett, Captain John, Captain Rakestraw, Captain Zouhbi, Captain McFarlane, Correction Officer Lattimore, Correction Officer Attmore, and Correction Officer Goodman are hereby dismissed from this action with prejudice, and that no judgment shall be entered against these defendants; and it is further

ORDERED, that entry of this order shall, and hereby does, constitute a judgment of this Court.

Dated: Jan. 7, 2008
New York, New York



WILLIAM H. PAULEY III
U.S.D.J.

THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____